IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FEASTER, et al. Serial No.: 10/763,339

Filed: 26 January 2004

For: DEVICE FOR DETECTING, MEASURING AND

MONITORING THE ACTIVITIES AND CONCENTRATIONS OF PROTEINS

Confirmation No. 7108

Art Unit: 1657

Examiner: Bin Shen

Atty. Dckt: 034047.003DIV1

WRAIR 00-23B

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop AF

Dear Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

- The fee for this Notice of Appeal under 37 C.F.R. 1.17(b) is \$540.00. The fee is being paid through EFS-Web using Deposit Account No. 210-380, Attorney Docket No. WRAIR 00-23B.
- 2. The undersigned is the attorney of record.
- A Petition for an Extension of Time is being filed herewith and the requisite fee is being paid using a credit card or Deposit Account No. 210-380, Attorney Docket No. WRAIR 00-23B using EFS-Web.

4. This Notice of Appeal is being filed along with a Request for Pre-Appeal Brief Review.

Respectfully submitted.

Suzannah K. Sundby Registration No. 43,172

Date: 14 January 2009

SMITH, GAMBRELL & RUSSELL, LLP 1130 Connecticut Ave., NW, #1130 Washington, D.C. 20036

Telephone: (202) 263-4332 Fax: (202) 263-4352